

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Civil No. 07-4744 (JRT/FLN)

Plaintiff,

v.

**DEFAULT JUDGMENT AND FINAL
ORDER OF FORFEITURE**

\$90,000.00 IN U.S. CURRENCY,

Defendant.

David Fuller and James Alexander, Assistant United States Attorneys, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Steven Meshbesh, **MESHBESHER & ASSOCIATES, PA**, 10 South Fifth Street, Suite 225, Minneapolis, MN 55402, for defendant.

Kevin Gregorius, **MESHBESHER & ASSOCIATES, PA**, 10 South Fifth Street, Suite 225, Minneapolis, MN 55402, for claimant.

Based on the motion of the United States for an order granting default judgment against Bill Lau and all unknown persons and entities having an interest in the defendant currency who have failed to file a verified statement of claim and answer, and for a final order of forfeiture forfeiting \$10,000.00 of the defendant currency to the United States pursuant to the settlement entered between the Plaintiff and claimant Johnny Chan; and based on all the files and records in this action, and on the Court's finding as follows that:

1. On December 3, 2007, a verified Complaint for Forfeiture *In Rem* with supporting Affidavit Of Travis W. Hamblen In Support of Complaint for Forfeiture *In*

Rem was filed alleging that the defendant currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6), and 18 U.S.C. § 981(a)(1)(A).

2. On December 7, 2007, the Plaintiff served Steve Meshbesher, as counsel for Johnny Chan, by certified mail with a copy of the Notice of Judicial Forfeiture Proceedings, the Verified Complaint, the Affidavit In Support of Complaint, and the Warrant of Arrest and Notice *In Rem*.

3. On December 7, 2007, the Plaintiff served Bill Lau by certified mail with a copy of the Notice of Judicial Forfeiture Proceedings, the Verified Complaint, the Affidavit In Support of Complaint, and the Warrant of Arrest and Notice *In Rem*.

4. On December 11, 18, and 26, 2007, a notice of the forfeiture action against the defendant currency was published in *Finance and Commerce* by the United States Attorney's Office.

5. On January 14, 2008, Johnny Chan filed a Declaration of Interest for defendant currency, and an Answer to the Complaint For Forfeiture *In Rem*.

6. No other verified statement of claim or answer to the Complaint for Forfeiture has been filed in this action, other than the claim that was filed by Johnny Chan, and the time for filing a verified claim and answer has expired.

7. On or about May 27, 2010, the Plaintiff and claimant Johnny Chan entered into a Settlement Stipulation in this action.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. default judgment is entered against Bill Lau and all unknown persons and entities having an interest in the defendant currency who have failed to file a verified claim and answer in this proceeding; and

2. all right, title and interest in \$10,000.00 of the defendant currency is forfeited to and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(6), and 18 U.S.C. § 981(a)(1)(A) for disposition in accordance with law;

3. the Department of Homeland Security shall dispose of the \$10,000.00 of the defendant currency in accordance with law; and

4. the Department of Homeland Security shall return \$80,000.00 of the defendant currency to claimant Johnny Chan, through his attorney of record, as provided for in the Settlement Stipulation.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: July 12, 2010
at Minneapolis, Minnesota.

____s/ John R. Tunheim_____
JOHN R. TUNHEIM
United States District Judge